

**INDEX OF INSTRUCTIONS
COMPARISON TABLE: RAJI 2ND TO RAJI 3RD**

(All Instructions under the RAJI 3rd column that are in normal font without an asterisk or not in bolded italics have been approved by the Arizona State Bar Board of Governors as Recommended Arizona Jury Instructions)

Preliminary Instructions

RAJI (CRIMINAL) 2 nd	RAJI (CRIMINAL) 3 rd
	<u>PRELIMINARY INSTRUCTIONS</u>
N/A	1 – Importance of Jury Service
N/A	2 – Duty of Jurors
N/A	3 – Evidence
N/A	4 – Direct and Circumstantial Evidence
N/A	5 – Stipulations
N/A	6 – Evidence, Statements of Lawyers and Rulings
N/A	7 – Rulings of the Court
N/A	8 – Exclusion of Witnesses
N/A	9 – Bench Conferences and Recesses
N/A	10 – Credibility of Witnesses
N/A	11 – Expert Witness
N/A	12 – No Transcript Available to Jury; Taking Notes
N/A	13 – Admonition
N/A	14 – Media Coverage
N/A	15 – Questions by Jurors
N/A	16 - Alternate Jurors
N/A	17 – Constitutional Right not to Testify
N/A	18 – Statements of Defendant
N/A	19 – Presumption of Innocence and Burden of Proof
N/A	20- Jury to be Guided by Official English Translation/Interpretation
N/A	21 – The Charged Offense
N/A	22 – Scheduling During Trial
N/A	23 – Order of Trial

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Standard Instructions

RAJI (CRIMINAL) 2 nd	RAJI (CRIMINAL) 3 rd
	<u>STANDARD INSTRUCTIONS</u>
1 – Duty of Jurors	1 – Duty of Jury
2 – Lawyers’ Comments are not Evidence	2 – Lawyers’ Comments are not Evidence
3 – Stipulations	3 – Stipulations
4 – Evidence to be considered	4 – Evidence to be considered
5 – Presumption of Innocence-Reasonable Doubt	See Standard 5a through 5b(2)
	5a – Presumption of Innocence
	5b(1) – Burden of Proof
	5b(2) – Standards for Burden of Proof
6 – Voluntariness of defendants Statement	6 – Voluntariness of defendants Statement
7 – Jury not to Consider Penalty	7 – Jury not to Consider Penalty
8 – Character and Reputation of the Defendant	8 – Character and Reputation of the Defendant
9 – Flight or Concealment	9 – Flight or Concealment
10 – Lost, destroyed or Unpreserved Evidence	*
11 – Evidence of Defendant’s Non-Presence	*
12 – Absence of Other Participant	12 – Absence of Other Participant
13 – Entrapment	Replaced by Statutory 2.026 [repealed RAJI (Criminal) 2d Standard 13 – Entrapment]
14 – Threats by defendant	14 – Threats by Defendant
15 – Defendant need not testify	15 – Defendant need not testify
16 - Evidence of Any Kind	16 - Evidence of Any Kind
17 – Voluntary Act	17 – Voluntary Act
18 – Credibility of Witness	18 – Credibility [believability] of Witness
19 – Credibility of Felon as Defendant Witness	19 – Defendant Witness (prior conviction)
20 – Credibility of Felon as Witness	20- Witness (prior conviction)
21 - Indictment/Information Is Not Evidence	21 - Indictment/Information Is Not Evidence
22 – Lesser-Included Offense	22 – Lesser-Included Offense
23 – Proof of Prior Conviction	Repealed
24 – Direct and Circumstantial Evidence	24 – Direct and Circumstantial Evidence
25 – Expert Testimony	25 – Expert Testimony

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26A – Other Acts	26A – Other Acts
26B – Character Evidence in Sexual Misconduct Cases	26B – Character Evidence in Sexual Misconduct Cases
27 – “Intentionally” or “With Intent To” Defined	Replaced by Statutory 1.056(a)(1) - Intentionally or With Intent To Defined [repealed RAJI (Criminal) 2d Standard 27 – “Intentionally” or “With Intent To” Defined]
28 – “Knowingly” Defined	Replaced by Statutory 1.056(b) - Knowingly Defined [repealed RAJI (Criminal) 2d Standard 28 – “Knowingly” Defined]
29 – “Recklessly” or” Reckless Disregard” Defined	Replaced by Statutory 1.056(c) – Recklessly (Reckless Disregard) Defined [repealed RAJI (Criminal) 2d Standard 29 – “Recklessly” or” Reckless Disregard” Defined]
30 – Accomplice	Replaced by Statutory 3.01 – Accomplice [repealed RAJI (Criminal) 2d Standard 30 – Accomplice]
31 – Mere Presence	*
32 – Consider Evidence Separately	32 – Consider Evidence Separately
33 – Defendant Absent At trial	33 – Defendant Absent At trial
34 – Testimony of Law Enforcement Officer	34 – Testimony of Law Enforcement Officer
35 – Separate Counts	35 – Separate Counts
36 – Defendant’s Testimony	36 – Defendant’s Testimony
37 – Actual Possession and Constructive Possession Defined	37 – Possession Defined
38 – Motive	38 – Motive
39 – Identification	39 – Identification

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Statutory Instructions – Title 13

RAJI (CRIMINAL) 2nd	RAJI (CRIMINAL) 3rd
	<u>STATUTORY DEFINITIONS</u>
N/A	105(1) – Act Defined
1.052 - Benefit Defined	1.052 & 105(2) - Benefit Defined
N/A	105(3) – Calendar Year Defined
N/A	105(5) – Conduct Defined
N/A	105(6) – Crime Defined
N/A	105(7) – Criminal Street Gang Defined
N/A	105(8) – Criminal Street Gang Member Defined
1.056(a)(1) - Intentionally or With Intent To Defined	1.056(a)(1) & 105(9a) - Intentionally or With Intent To Defined
1.056(a)(2) - Intent Inference	1.056(a)(2) - Intent Inference
1.056(b) – Knowingly Defined	1.056(b) & 105(9b) – Knowingly Defined
1.056(c) - Recklessly (Reckless Disregard) Defined	1.056(c) & 105(9c) - Recklessly (Reckless Disregard) Defined
1.056 (d) – Criminal Negligence	1.056(d) & 105(9d) – Criminal Negligence
1.058 – Dangerous Instrument Defined	1.058 & 105(11) – Dangerous Instrument Defined
1.059 Deadly Physical Force Defined	1.059 & 105(12) - Deadly Physical Force Defined
1.0510 – Deadly Weapon Defined	1.0510 & 105(13) – Deadly Weapon Defined
N/A	105(14) – Economic Loss Defined
1.0512 – Enterprise Defined	1.0512 & 105(15) – Enterprise Defined
N/A	105(16) – Felony Defined
N/A	105(17) – Firearm Defined
N/A	105(20) – Intoxication Defined
N/A	105(24) – Omission Defined
N/A	105(25) – Peace Officer Defined
N/A	105(26) – Person Defined
N/A	105(28) – Physical Force Defined
N/A	105(29) – Physical Injury Defined
N/A	105(30) – Possess Defined
N/A	105(31) – Possession Defined
N/A	105(32) – Property Defined
1.0530 – Public Servant Defined	1.0530 & 105(33) – Public Servant Defined

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N/A	105(34) – Serious Physical Injury Defined
N/A	105(35) – Unlawful Defined
N/A	105(36) – Vehicle Defined
N/A	105(37) – Voluntary Act Defined
N/A	105(38) – Voluntary Intoxication Defined
2.021 – Included Mental States - Knowingly	See 1.056(b) – Knowingly Defined
2.022– Included Mental States – Recklessly	See 1.056(c) - Recklessly (Reckless Disregard) Defined
2.023 – Included Mental States – Criminal Negligence	See 1.056(d) – Criminal Negligence
N/A	2.024 – Transferred intent
See 4.13 – Justification Defense & Acquittal	Replaced by 2.025 – Affirmative Defense [repealed RAJI (Criminal) 2d 4.13]
See Standard 13	Replaced by 2.026 – Entrapment [repealed standard 13]
3.01 – Accomplice	3.01 – Accomplice Instruction
	JUSTIFICATION INSTRUCTIONS
N/A	4.02 – Justification Defense in Execution of Public Duty
N/A	4.03 – Justification: Use of Physical Force
4.031 – Justifiable Use of Force	Replaced by Statutory 4.03
4.04 – Justification for Self-Defense	4.04 – Justification for Self-Defense
4.043 No Justification for Provoking Another	N/A
N/A	<i>4.04-1 Non-Justification for Threat or Use of Physical Force</i>
4.06 Justification for Defense of a Third Person	4.06 Justification for Defense of a Third Person
4.07 – Justification for Defense of Premises	4.07 – Justification in Defense of Premises
N/A	4.07(1) – Premises Defined
4.08 – Justification for Defense of Property	4.08 – Justification in Defense of Property
4.09 – Justification for Physical Force in Law Enforcement	4.09 – Justification for Use of Physical Force in Law Enforcement
4.10 – Justification for Use of Deadly Force in Law Enforcement	Replaced by Statutory 4.10(1) through 4.10(4)
N/A	4.10(1) – Justification for Threatened Deadly Physical Force in Law Enforcement
N/A	4.10(2) – Justification for Using Deadly Physical Force in Law Enforcement by a Non-Peace Officer
N/A	4.10(3a) – Justification for Using Deadly Physical Force in Law Enforcement by a

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	Peace Officer
N/A	4.10(3b) – Justification for Using Deadly Physical Force in Law Enforcement by a Peace Officer
N/A	4.10(4) – Justification for Threatening Deadly Physical Force in Law Enforcement by a Peace Officer
4.11 – Justification for Using Force in crime Prevention	4.11 – Use of Force in Crime Prevention
4.12 – Duress	4.12 – Duress
4.13 – Justification Defense and Acquittal	Replaced by Statutory 2.025 – Affirmative Defense [repealed RAJI (Criminal) 2d Statutory 4.13 – Justification Defense and Acquittal]
N/A	4.14 – Justification for Correctional Officer to use Reasonable and Necessary Means
N/A	4.14(1) – Correctional Officer Defined
N/A	4.16 – Justification for Security Officer to use Reasonable and Necessary Means
N/A	4.16(1) – Security Officer Defined
N/A	4.16(2) – Private Contractor Defined
N/A	4.17 – Necessity Defense
	<u>CHAPTER 5 INSTRUCTIONS</u>
5.02 - Insanity	5.02 – Insanity (Not Guilty by Reason of Insanity) (for offenses committed prior to January 2, 1994)
N/A	5.02-1 Insanity (Guilty Except Insane) (for offenses committed on or after January 2, 1994)
5.02 – Insanity	5.02-2 Insanity (Not Guilty by Reason of Insanity) (for offenses committed prior to January 2, 1994)
5.03 – Effect of Intoxication on mental State of Intentionally	Replaced by Statutory 5.03-1a through 5.03-2b
N/A	5.03-1a Effect of Non –prescribed alcohol or drug use or abuse of prescribed medication (Non-Insanity Case)
N/A	5.03-1b Effect of Non –prescribed alcohol or drug use or abuse of prescribed medication (Insanity Case)
N/A	5.03-2a Effect of Non abusive use of prescribed medication (Non-Insanity Case)

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N/A	5.03-2b Effect of Non abusive use of prescribed medication (Insanity Case)
6.04(b) Form of Verdict for Dangerous Offense	*
6.04(f) – Dangerous Offense Defined	*
N/A	6.04–R Release Status Instruction
N/A	6.04.02–A Release Status Instruction
N/A	6.04.02–A Verdict Form
N/A	6.04.01 – Dangerous Crime Against a Child
N/A	6.04.01(DCAC) – Verdict Form
	CHAPTER 10 INSTRUCTIONS
10.01 – Attempt	10.01 – Attempt
10.02 – Solicitation	10.02 – Solicitation
10.031 – Elements of Conspiracy	10.031 – Elements of Conspiracy
10.0313 – Conspiracy – guilt of substantive offense	10.0313 – Conspiracy – Guilt of Substantive Offense
10.032 – Relationships among multiple co-conspirators	[Repealed]
10.033 – Liability for a Single Conspiracy to Commit	10.033 – Liability for a Single Conspiracy to Commit Multiple Offenses
10.034 Form of Verdict for Objects of Single Conspiracy	10.034 Deleted Verdict Form with Explanatory Note
10.035 - Liability for other Conspirators’ Acts [Deleted]	[Repealed] See Explanatory Note
10.036 – Mere Association Not Sufficient for Conspiracy	10.036 – Mere Association Not Sufficient for Conspiracy
10.037 – Scope of Proof for Conspiracy	10.037 – Scope of Proof of Conspiracy
10.038 – Proof of Membership in Conspiracy	10.038 – Proof of Membership in Conspiracy
10.039 – Acts and Statements of Co-Conspirators	10.039 – Acts and Statements of Co-Conspirators
10.0310 – Consideration of Evidence of Success of Conspiracy	10.0310 – Consideration of Evidence of Success of Conspiracy
10.0312 – Definition of “overt Act” for Conspiracy	10.0312 – Definition of “Overt Act” for Conspiracy
10.04 – Facilitation	10.04 – Facilitation
10.05 – Defense to Attempt, Conspiracy or Facilitation	*
10.051 – Defense to Solicitation	*
10.06 – Effect of Immunity, Irresponsibility, or Incapacity of a Party to Solicitation, Conspiracy or Facilitation	*

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	<u>CHAPTER 11 INSTRUCTIONS</u>
11.02 – Negligent Homicide	11.02 – Negligent Homicide
11.031 – Reckless Manslaughter	11.03A1 - Manslaughter
11.032 – Manslaughter by Sudden Quarrel or Heat of Passion	11.03A2 - Manslaughter by Sudden Quarrel or Heat of Passion
N/A	11.03A3 - Manslaughter by Aiding Suicide
N/A	11.03A4 - Manslaughter by Coercion
11.035 - Manslaughter of Unborn Child	11.03A5 - Manslaughter of Unborn Child
11.04 – Second Degree Murder	11.04 – Second Degree Murder
11.051 – First Degree Murder by Premeditation	11.05 – First Degree Murder
N/A	11.05A1 – First Degree Murder of an Unborn Child
N/A	11.05A3 – First Degree Murder of a Law Enforcement officer
11.052 – First Degree Felony Murder	11.052 – First Degree Felony Murder
11.06 – Homicide – Possible Verdicts	*
	Chapter 11 Sample Lesser-Included Offenses Instruction and Verdict Form
	<u>CHAPTER 12 INSTRUCTIONS</u>
12.01 – Endangerment	12.01 – Endangerment
12.02 – Threatening or Intimidating	12.02 – Threatening or Intimidating
N/A	12.03 – Assault
12.04 – Aggravated Assault - General	12.04 – Aggravated Assault – General
12.046 – Aggravated Assault Upon Teacher or School Employee	12.046 – Aggravated Assault Upon Teacher or School Employee
12.049 – Aggravated Assault – sample Forms of Guilty Verdicts	*
12.05 – Unlawfully Administering Liquor or Drug	12.05 – Unlawfully Administering Intoxicating Liquors or Drug
12.06 – Dangerous or Deadly Assault by a Prisoner	12.06 – Dangerous or Deadly Assault by a Prisoner
N/A	12.07 – Prisoners [Committing Assault with Intent to Incite to Riot/Participate in a Riot]
N/A	12.08 – Assault: Vicious Animals
N/A	12.09 – Drive-By Shooting
N/A	12.11 – Discharging Firearm at a Structure
N/A	12.12 – Prisoner Assault with Bodily Fluids
N/A	13.01 – Definition of Restrain

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	<u>CHAPTER 13 INSTRUCTIONS</u>
13.02 – Custodial Interference	13.02 – Custodial Interference
N/A	13.02 – Verdict Form – Custodial Interference
N/A	13.02C – Defense to Custodial Interference
13.031 – Unlawful Imprisonment	13.031 – Unlawful Imprisonment
13.032 Unlawful imprisonment – Defense – Relative	13.032 Unlawful imprisonment – Defense
13.04 – Kidnapping	13.04 – Kidnapping
N/A	13.05 – Access Interference
N/A	13.06 – Unlawfully Obtaining Labor & Services
N/A	13.07 – Sex Trafficking
N/A	13.08 – Trafficking of Persons for Forced Labor or Services
14.02 – Indecent Exposure	*
14.03 – Public Sexual Indecency	*
14.04 – Sexual Abuse	*
14.051 – Sexual Conduct with a Minor Under Age Fifteen	*
14.052 – Sexual Conduct with a Minor Under Age Fifteen – Minor the Actor	*
14.053 – Sexual Conduct with a Minor Reasonable Mistake as to Age a Defense	*
14.054 – Sexual Conduct with Minor – Belief of Age No Defense	*
14.055 - Sexual Conduct With a Minor	*
14.06 – Sexual Assault	*
14.0601 – Sexual Assault of a Spouse	*
14.07 – Defense to Sexual Abuse and Sexual Conduct with a Minor	*
14.10 – Molestation of a Child	*
14.101 – Previous Sexual Acts	*
14.102 – Touching on Clothing	*
14.103 – Private Parts Defined	*
14.104 – Private Parts Defined	*
14.11 – Sodomy (Crime Against Nature)	*
	<u>CHAPTER 15 DEFINITIONS</u>
N/A	15.01(1) – Definition of Enter or Remain Unlawfully

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N/A	15.01(2) – Definition of Entry
N/A	15.01(3) – Definition of Fenced Commercial Yard
N/A	15.01(4) – Definition of Fenced Residential Yard
N/A	15.01(5) – Definition of in the Course of Committing
N/A	15.01(6) – Definition of Nonresidential Structure
N/A	15.01(7) – Definition of Residential Structure
N/A	15.01(8) – Definition of Structure
N/A	15.01(9) – Definition of Vending Machine
	<u>CHAPTER 15 INSTRUCTIONS</u>
15.04 – Criminal Trespass in the First Degree	15.04 – Criminal Trespass in the First Degree
15.05 – Possession of Burglary Tools	15.05 – Possession of Burglary Tools
15.06 – Burglary in the Third Degree	15.06 – Burglary in the Third Degree
15.07 – Burglary in the Second Degree	15.07 – Burglary in the Second Degree
15.08 – First Degree Burglary	15.08 – First Degree Burglary
15.081 – Sample Form of Guilty Verdict for Burglary First Degree	15.081 – Burglary First Degree Form of Verdict
	<u>CHAPTER 16 INSTRUCTIONS</u>
N/A	16.011 – Damaging or Damage Defined
16.012 – Defacing Defined	16.012- Defacing Defined
N/A	16.013 – Litter Defined
N/A	16.014 – Property of Another Defined
16.014 – Tamper Defined	16.015- Tamper Defined
16.015 – Utility Defined	16.016- Utility Defined
N/A	16.02 – Criminal Damage
16.04 – Aggravated Criminal Damage	16.04 – Aggravated Criminal Damage
N/A	16.041 – Aggravated Criminal Damage – Form of Verdict
16.05 – Aggregation of Amounts for Criminal Damage	16.05 – Aggregation of Amounts for Criminal Damage
16.051 – Criminal Damage – Form of Verdict	*
	<u>CHAPTER 17 INSTRUCTIONS</u>
N/A	17.01(1) - Definition of Damage
N/A	17.01(2) - Definition of Occupied Structure

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N/A	17.01(3) - Definition of Property
N/A	17.01(4) - Definition of Structure
N/A	17.01(5) - Definition of Wildland
17.02 – Reckless Burning	17.02 – Reckless Burning
17.03 – Arson of Property or Structure	17.03 - Arson of a Structure or Property
17.031 – Arson Form of Guilty Verdict	*
17.04 – Arson of Occupied Structure	17.04 – Arson of an Occupied Structure
17.041 – Arson Form of Guilty Verdict	*
N/A	17.05 – Arson of an Occupied Jail or Prison Facility
	<u>CHAPTER 18 INSTRUCTIONS</u>
N/A	<i>18.01(1) – Definition of “Check”</i>
N/A	<i>18.01(2) – Definition of “Control” or “Exercise Control”</i>
N/A	<i>18.01(3) – Definition of “Credit”</i>
N/A	<i>18.01(4) – Definition of “Deprive”</i>
N/A	<i>18.01(5) – Definition of “Draw”</i>
N/A	<i>18.01(6) – Definition of “Funds”</i>
N/A	<i>18.01(7) – Definition of “Issue”</i>
N/A	<i>18.01(8) – Definition of “Material Misrepresentation”</i>
N/A	<i>18.01(9) – Definition of “Means of Transportation”</i>
N/A	<i>18.01(10) – Definition of “Obtain”</i>
N/A	<i>18.01(11) – Definition of “Pass”</i>
N/A	<i>18.01(12) – Definition of “Property”</i>
N/A	<i>18.01(13) – Definition of “Property of Another”</i>
N/A	<i>18.01(14) – Definition of “Services”</i>
N/A	<i>18.01(15) – Definition of “Value”</i>
N/A	<i>18.01(16) – Definition of “Drawee”</i>
N/A	<i>18.01(17) – Definition of “Drawer”</i>
18.021 – Theft by Control with Intent to Deprive	<i>18.02.01 - Theft</i>
18.022 – Theft By Unauthorized Use of property or Services	<i>18.02.01 - Theft</i>
18.023 – Theft By Material Misrepresentation	<i>18.02.01 - Theft</i>
18.024 – Theft of Lost, Mislaid or Misdelivered Property	<i>18.02.01 - Theft</i>
18.025(a) Inference of Theft From Possession	*
18.025(b) Inference of Theft From Purchase or Sale	*

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Below Market Value	
18.025(c) – Inference of Theft from Purchase or Sale Outside Regular Course of Business	*
18.026 – Theft of Services Without Payment	<i>18.02.01 - Theft</i>
N/A	<i>18.02.02 – Theft (Incapacitated or Vulnerable Adult)</i>
18.027 – Value of Objects of Theft	18.027- Verdict Form Instruction for Chapter 18 Offenses Instruction
18.03 – Unlawful Use of Means of Transportation	<i>18.03 – Unlawful Use of Means of Transportation</i>
18.04 – Theft by Extortion	<i>18.04.01 – Theft by Extortion</i>
N/A	<i>18.04.02 – Affirmative Defense to Theft by Extortion under A.R.S. § 13-1804 (A) (5) & (7)</i>
18.041 – Sample Forms of Guilty Verdict for Theft by Extortion	*
N/A	<i>18.05(1) – Definition of “Continuing Criminal Episode”</i>
18.05 – Shoplifting	<i>18.05.01 – Shoplifting</i>
	<i>18.05.02 – Shoplifting (with an Artifice or Prior Convictions)</i>
18.051 – Inference of Shoplifting from Concealment	<i>18.05.03 – Presumption Relating to Shoplifting</i>
18.052 – Value of Shoplifted Item	*
18.06 – Unlawful failure to Return Rented Property	Withdrawn, because 2006 Legislature reduced offense to misdemeanor
18.06 – Unlawful failure to Return Rented Property	Withdrawn, because 2006 Legislature reduced offense to misdemeanor
N/A	<i>18.07.01 – Issuing a Bad Check</i>
N/A	<i>18.07.02a – Affirmative Defense to Issuing a Bad Check</i>
N/A	<i>18.07.02b – Affirmative Defense to Issuing a Bad Check</i>
N/A	<i>18.07.02c – Affirmative Defense to Issuing a Bad Check</i>
N/A	<i>18.08.01 – Presumptions Relating to Issuing a Bad Check</i>
N/A	<i>18.08.02 – Presumptions Relating to Theft of Property or Services by Issuing a Bad Check</i>

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N/A	<i>18.13 – Unlawful Failure to Return a Motor Vehicle Subject to a Security Interest</i>
N/A	<i>18.13.01 – Affirmative Defense to Unlawful Failure to Return a Motor Vehicle Subject to a Security Interest</i>
N/A	<i>18.14 – Theft of Means of Transportation</i>
N/A	<i>18.15 – Unlawful Use of Power of Attorney</i>
N/A	<i>18.16.01- Unlawful Manufacture or Sale of a Theft Detection Shielding Device</i>
N/A	<i>18.16.02 – Unlawful Possession of a Theft Detection Shielding Device</i>
N/A	<i>18.16.03 – Unlawful Possession of a Theft Detection Device Remover</i>
N/A	<i>18.16.04 – Unlawful Removal of a Theft Detection Shielding Device</i>
N/A	<i>18.16(1) – Definition of “Merchant”</i>
N/A	<i>18.17 – Unlawful Possession of a Retail Sales Receipt or Universal Product Code Label</i>
N/A	<i>18.18 – Misappropriation of Charter School Monies</i>
18.028 – Theft – Sample Forms of Guilty Verdict	<i>Statutory Criminal Verdict Form 18A (Theft & Unlawful Use of Power of Attorney) – For All Offenses Occurring Prior to September 21, 2006</i>
18.028 – Theft – Sample Forms of Guilty Verdict	<i>Statutory Criminal Verdict Form 18A (Theft & Unlawful Use of Power of Attorney) – For All Offenses Occurring After September 21, 2006</i>
N/A	<i>Statutory Criminal Verdict Form 18B (Shoplifting) – For All Offenses Occurring Prior to September 21, 2006</i>
N/A	<i>Statutory Criminal Verdict Form 18B (Shoplifting) – For All Offenses Occurring After September 21, 2006</i>
N/A	<i>Statutory Criminal Verdict Form 18C (Misappropriation of Charter School Monies)</i>
	<u>CHAPTER 19 INSTRUCTIONS</u>
19.02 – Robbery	19.02 – Robbery

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19.03 – Aggravated Robbery	19.03 – Aggravated Robbery
19.04 – Armed Robbery	19.04 – Armed Robbery
20.016 – falsely Making, Completing or Altering Defined	*
20.021 – Forgery by Forging an Instrument	*
20.022 – Forgery by possessing a Forged Instrument	*
20.023 – Forgery by Offering or Presenting a Forged Instrument	*
20.03 – Criminal Possession of a Forgery Device	*
20.04 – Criminal Simulation	*
21.011 – Canceled or Revoked Credit Card Defined	*
21.012 – Cardholder Defined	*
21.013 – Credit Card Defined	*
21.014 – Expired Credit Card Defined	*
21.015 – Incomplete Credit Card Defined	*
21.016 – Issuer Defined	*
21.017 – Merchant Defined	*
21.018 – Participating Party Defined	*
21.019 – Receiving Defined	*
21.02 – Theft of a Credit Card or Obtaining a Credit Card by Fraudulent Means	*
21.03 – Receipt of Anything of value by Fraudulent Use of a Credit Card	*
21.04 – Forgery of Credit Card	*
21.05 – Fraudulent Use of a Credit Card	*
21.06 – Possession of Machinery, Plate or Other Contrivance or Incomplete Credit Card	*
21.07 – False Statement as to Financial Condition or Identity	*
21.08 – Fraud by a Person Authorized to Provide goods or Services Upon Presentation of a Credit Card	*
22.013 – Financial Institution Defined	*
22.014 – Insolvent Defined	*
22.04 – Defrauding Secured Creditors	*
22.05 – Defrauding Judgment Creditors	*
22.06 – Fraud in Insolvency	*
22.07 – Receiving Deposits in an Insolvent Financial Institution	*
22.08 – Usury	*

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23.011 – Racketeering Defined	*
23.012 – Enterprise Defined	*
23.021 – Making Extortionate Extensions of Credit	*
23.022 – Proof of Extortionate Extensions of Credit	*
23.023 – Extortionate Means	*
23.031 – Financing Extortionate Extensions of Credit	*
23.041 – Participation in Collection of Extensions of Credit by Extortionate Means	*
23.051 – Permissible Inference	<i>23.05 – Permissible Inferences</i> <u>Instruction</u>
23.052 – Permissible Inference	<i>23.05 – Permissible Inferences</i>
23.053 – Permissible Inference	<i>23.05 – Permissible Inferences</i>
23.06 – Possession of Altered Property	*
23.071 – Trafficking in Stolen Property in the Second Degree	*
23.072 – Trafficking in Stolen Property in the First Degree	*
23.08 – Leading Organized Crime	*
23.0801 – Terrorism	*
23.091 – Bribery of a Player	*
23.092 – Bribery of a Manager, Coach or Trainer	*
23.093 – Bribery of a Referee or Other Official	*
23.10 – Fraudulent Scheme or Artifice	*
23.101 – Scheme or Artifice To Defraud Defined	*
23.103 – Reliance on Fraudulent Scheme or Artifice	*
23.104 – Intent to Defraud Defined	*
23.105 – Intent to Deceive Defined	*
23.11 – Fraudulent Schemes and Practices	*
23.12(A) – Illegal Control of An Enterprise	*
23.12(B) - Illegally Conducting an Enterprise	*
23.161 – Computer Fraud in the First Degree	*
23.162 – Computer Fraud in the second Degree	*
23.17 – Money Laundering	*
	<u>CHAPTER 24 INSTRUCTIONS</u>
N/A	24.01 – Dissemination of Personal Information on the World Wide Web
24.05 – Compounding	24.05 – Compounding
24.07 – Tampering with a Public Record	24.07 – Tampering with a Public Record
24.071 – Public Record Defined	*

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24.08 – Securing the Proceeds of an Offense	24.08 – Securing the Proceeds of an Offense
24.09 – Obstructing Criminal Investigations or Prosecutions	24.09 – Obstructing Criminal Investigations or Prosecutions
N/A	24.11 – Impersonating a Peace Officer
	<u>CHAPTER 25 INSTRUCTIONS</u>
N/A	25.01.1 – Definition of Contraband
N/A	25.01.2 – Definition of Custodial Facility
N/A	25.01.3 – Definition of Custody
N/A	25.01.4 – Definition of Escape
25.02 – Escape in the Third Degree	25.02 – Escape in the Third Degree
25.03 – Escape in the Second Degree	25.03 – Escape in the Second Degree
25.04 – Escape in the First Degree	25.04 – Escape in the First Degree
25.05 – Promoting Prison Contraband	25.05 – Promoting Prison Contraband
N/A	25.07 – Failure to Appear in the First Degree
25.08 – Resisting Arrest	25.08 – Resisting Arrest
25.08-1 – Defense to Resisting Arrest	25.08-1 – Defense to Resisting Arrest
25.12 – Hindering Prosecution in the First Degree	25.12 – Hindering Prosecution in the First Degree
N/A	25.14 – Promoting Secure Care Facility Contraband
	<u>CHAPTER 26 INSTRUCTIONS</u>
26.01(1) – Employee Defined	26.01(1) – Definition of Employee
26.01(2) – Employer Defined	26.01(2) – Definition of Employer
26.01(3) – Party Officer Defined	26.01(3) – Definition of Party Officer
26.02(A) – Bribery of a Public Servant or Party Officer	26.02 – Bribery of a Public Servant or Party Officer
26.02(B) – Unavailability of Defense to bribery	26.02 – Bribery of a Public Servant or Party Officer
26.03 – Trading in Public Office	26.03 – Trading in Public Office
26.05 – Commercial Bribery Defined	26.05 – Commercial Bribery
26.05(B) – Commercial Bribery –Form of Verdict	26.05 Verdict Form
26.06 – Offer to Exert Improper Influence	26.06 – Offer to Exert Improper Influence on Public Officer or Employee for Consideration
	<u>CHAPTER 27 INSTRUCTIONS</u>
27.01(1) – Material Defined	27.01(1) – Material Defined
27.01(2) – Statement Defined	27.01(2) – Statement Defined

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27.01(3) – Sworn Statement Defined	27.01(3) – Sworn Statement Defined
27.02 – Perjury	27.02(A) – Perjury
	27.02(B) – Perjury by Inconsistent Statements
27.03 – False Swearing	27.03 – False Swearing
27.04 – Unsworn Falsification	27.04 – Unsworn Falsification
27.06 – Limitation on Defenses	27.06 – Limitation on Defenses
	<u>CHAPTER 28 INSTRUCTIONS</u>
28.01 – Official Proceeding Defined	See 28.01(2)- Official Proceeding Defined
28.01(1) – Juror Defined	See 28.01(1)- Juror Defined
	See 28.01(3)- Physical Evidence Defined
28.01(4) – Testimony Defined	See 28.01(4)- Testimony Defined
28.01(5) – Threat Defined	See 28.01(5)- Threat Defined
28.02 – Influencing a Witness	28.02 – Influencing a Witness
28.03 – Receiving a Bribe by a Witness	28.03 – Receiving a Bribe by a Witness
28.05 – Influencing by a Juror	28.05 – Influencing a Juror
28.06 – Receiving a Bribe by a Juror	28.06 – Receiving a Bribe by a Juror
28.07 – Jury Tampering	28.07 – Jury Tampering
28.08 – Misconduct by a Juror	28.08 – Misconduct by a Juror
28.09 – Tampering with Physical Evidence	28.09 – Tampering with Physical Evidence
	CHAPTER 29 INSTRUCTIONS
29.03 – Riot	*
29.1001 – Animal Fighting	*
29.1003 and	*
29.1004 – Animal Fighting - Defense	*
29.12 – Unlawful Use of Telephone	*
29.13 – Unlawful Disclosure of Telephonic Message	*
	<u>CHAPTER 30 INSTRUCTIONS</u>
30.02 – Sending False or Forged Messages	30.02 -- Sending False or Forged Messages
30.05 – Wiretapping and Eavesdropping	*
	30.05.A. – Interception of Communications; Installation of Pen Register or Trap and Trace Device
	30.05.B. – Installation of a Pen Register or Trap and Trace Device
30.06 – Divulging Telephone and Telegraph Company Information or Preventing Order for Movement	30.06 – Divulging Communication Service Information
	30.08 – Possession of Interception Device
	30.19.A. – Surreptitious Recording

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	30.19.B. – Disclosure of Surreptitious Recording
	<u>CHAPTER 31 INSTRUCTIONS</u>
31.011 – Deadly Weapon defined	<i>31.01.01 – Definition of Deadly Weapon</i>
31.012 – Deface Defined	<i>31.01.02 – Definition of Deface</i>
31.013 – Explosive Defined	<i>31.01.03 – Definition of Explosive</i>
31.014 – Firearm Defined	<i>31.01.04 – Definition of Firearm</i>
N/A	<i>31.01.05 – Definition of Occupied Structure</i>
31.015 – Prohibited Possessor Defined	<i>31.01.06 – Definition of Prohibited Possessor</i>
31.016 – Prohibited Weapon Defined	<i>31.01.07 – Definition of Prohibited Weapon</i>
N/A	<i>31.02.01 – Definition of Public Establishment</i>
N/A	<i>31.02.02 – Definition of Public Event</i>
N/A	<i>31.02.03 – Definition of School</i>
N/A	<i>31.02.04 – Definition of School Grounds</i>
N/A	<i>31.07.01 – Definition of Municipality</i>
N/A	<i>31.07.02 – Definition of Properly Supervised Range</i>
N/A	<i>31.16.01 – Definition of Body Armor</i>
N/A	<i>31.17.01 – Definition of Authorized Remote Stun Gun</i>
N/A	<i>31.17.02 – Definition of Remote Stun Gun</i>
31.0211 – Defense to Misconduct Involving Weapons	*
31.0212 – Misconduct Involving Weapons Defined	*
31.023 – Prohibited Weapons	<i>31.023 – Misconduct Involving Weapons (Prohibited Weapon)</i>
31.024 – Prohibited Possession of Weapons	<i>31.024 – Misconduct Involving Weapons (Prohibited Possessor)</i>
31.025 – Transferring Deadly Weapons to prohibited Possessors	<i>31.025 – Misconduct Involving Weapons (Selling or Transferring Deadly Weapon to Prohibited Possessor)</i>
31.026 – Defacing a Weapon	<i>31.026 – Misconduct Involving Weapons (Defacing a Deadly Weapon)</i>
31.027 – Possessing a Defaced Weapon	<i>31.027 – Misconduct Involving Weapons (Possessing a Defaced Deadly Weapon)</i>
N/A	<i>31.028 Misconduct Involving Weapons (Use or Possession of Deadly Weapon)</i>

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	<i>During Commission of Drug Offense)</i>
N/A	<i>31.029 – Misconduct Involving Weapons (Discharging Firearm at Occupied Structure)</i>
N/A	<i>31.0212 – Misconduct Involving Weapons (Possessing Deadly Weapon on School Grounds-Felony Allegation)</i>
N/A	<i>31.0213 – Misconduct Involving Weapons (Carrying Deadly Weapon in Nuclear or Hydroelectric Plant)</i>
N/A	<i>31.0214 – Misconduct Involving Weapons (Supplying Firearm to Another Person Who Will Commit Felony)</i>
N/A	<i>31.0215 – Misconduct Involving Weapons (Using Deadly Weapon in Terrorism Act)</i>
N/A	<i>31.07 – Unlawful Discharge of Firearms</i>
N/A	<i>31.09 – Sale or Gift of Firearm to Minor</i>
N/A	<i>31.11 – Minors Prohibited from Carrying or Possessing Firearms</i>
N/A	<i>31.13.01 – Possession of Firearm by Adjudicated Delinquent</i>
N/A	<i>31.13.02 – Subsequent Possession of Firearm by Adjudicated Delinquent</i>
N/A	<i>31.16 – Misconduct Involving Body Armor</i>
N/A	<i>31.17 – Misconduct Involving Remote Stun Gun</i>
31.04 – Depositing Explosives	*
N/A	31.129 – Taking Prohibited Articles Into Jail or Onto Jail Grounds
	<u>CHAPTER 32 INSTRUCTIONS</u>
32.01 – Enticing Persons Into Prostitution	32.01 – Enticing Persons Into Prostitution
32.02 – Procuring for Prostitution	32.02 – Procurement by False Pretenses for Purposes of Prostitution
32.03 – Placing a Person in Prostitution	32.03 – Placing a Person in Prostitution
32.04 – Receiving Earnings of a Prostitute	32.04 – Receiving Earnings of a Prostitute
32.05 – Causing Spouse to Become a Prostitute	32.05 – Causing Spouse to Become a Prostitute
32.06 – Use of Minor in Prostitution	32.06 – Taking a Child for Purposes of Prostitution
32.07 – Prostitution for Debt	32.07 – Detention of Persons in a House of

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	Prostitution
32.08 – Operating Prostitution House	32.08 – Maintaining or Operating House of Prostitution
32.09 – Pandering	32.09 – Pandering
32.10 – Transportation for Immoral Purpose	32.10 – Transporting Persons for Purpose of Prostitution or other Immoral Purpose
32.11 – Definitions of Terms for Prostitution	32.11 – Definitions
32.12 – Child Prostitution	32.12 – Child Prostitution
32.13 – Defense to Child Prostitution	32.13 – Defense to Child Prostitution
N/A	<i>32.14 – Felony Prostitution</i>
	<u>CHAPTER 33 INSTRUCTIONS</u>
33.051 – Accepting Bets, Wagering – As a Business	N/A
33.072 – Accepting Bets, Wagering – Transmission, Delivery	N/A
N/A	<i>33.01.01 – Definition of “Amusement Gambling”</i>
N/A	<i>33.01.02 – Definition of “Conducted as a Business”</i>
N/A	<i>33.01.03 – Definition of “Crane Game”</i>
N/A	<i>33.01.04 – Definition of “Gambling” or “Gamble”</i>
N/A	<i>33.01.05 – Definition of “Player”</i>
N/A	<i>33.01.06 – Definition of “Regulated Gambling”</i>
N/A	<i>33.01.07 – Definition of “Social Gambling”</i>
N/A	<i>33.021 – Exclusions</i>
N/A	<i>33.021.1 – Exclusions</i>
N/A	<i>33.03 – Promotion of Gambling</i>
	<u>CHAPTER 34 INSTRUCTIONS</u>
N/A	34.021 – Possession of Peyote
34.022 – Sale of Peyote	34.022 – Sale of Peyote
34.023 – Offer to Sell Peyote	34.023 – Offer to Sell or Transfer Peyote
34.024 – Defense to Peyote	34.024 – Defense to Peyote
34.031 – Possession of Vapor-Releasing Substance	*
34.032 – Sale of Vapor-Releasing Substance	*
34.033 – Offer to Sell Vapor-Releasing Substance	*
34.034 – Unauthorized Sale of Vapor-Releasing Substance	*

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34.035 – Unauthorized Offer to Sell Vapor-Releasing Substance	*
34.036 – Failure to Keep Records of Vapor Releasing Glue	34.036 – Failure to Keep Records of Vapor Releasing Glue
34.037 – Availability of Vapor Releasing glue	*
34.038 – Sign Needed for Vapor-Releasing Substance	*
34.039 – Defense to Vapor-Releasing Substance	34.039 – Defense to Vapor-Releasing Substance
34.051 – Possession of Marijuana	34.051 – Possession of Marijuana
34.052 – Possession of Marijuana for Sale	34.052 – Possession of Marijuana for Sale
N/A	34.053 – Production of Marijuana
34.054-1 – Transportation of Marijuana for Sale	34.054a – Selling, Transporting, Importation, Transferring of Marijuana for Sale
34.054-2 – Offer to [Sell] Marijuana	34.054b – Offering to Sell, Transport, Import or Transfer Marijuana for Sale
34.071 – Possession of Dangerous Drugs, Etc	34.071 – Possession of Dangerous Drug
34.072 – Possession of Dangerous Drugs for Sale	34.072 – Possession of Dangerous Drug for Sale
34.076 – Obtaining Dangerous Drug by Fraud	34.076 – Obtaining Dangerous Drug by Fraud
34.077 – Sale of [Drug]	34.077 Replaced by 34.0771 – 34.0872
	34.0771 – Selling, Transporting, Importing, Transferring of Dangerous Drug For Sale
	34.0772 – Offer to Transport, Import , or Transfer of Dangerous Drugs
34.081 – Possession of [Drug]	34.081 – Possession or Use of a Narcotic Drug
34.082 – Possession of [Drug] for Sale	34.082 – Possession of Narcotic Drug for Sale
34.086 – Obtaining Narcotics by Fraud	34.086 – Obtaining Narcotics by Fraud
34.087-1 Transporting Narcotics for Sale (Etc.)	34.0871 – Transporting or Importing Narcotics for Sale; Selling, Transferring Narcotic Drugs
34.087-2 – Offering to Transport Narcotics	34.0872 – Offering to transport, import, Sell, Transfer Narcotics
34.09-1 – Involving or Using a Minor in Drug Offenses	*
34.09-2 – Sale of Prohibited Substance to a Minor	*
	34.15 – Possession of Drug Paraphernalia

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34.53 – Manufacture or Distribution of Imitation Controlled Substance	*
34.54 – Manufacture or Distribution of Imitation Over-the-Counter Drug	*
	<u>CHAPTER 35 INSTRUCTIONS</u>
35.011 – Harmful to Minors Defined	<i>35.01(1) - Definition of Harmful to Minors</i>
35.012 – Obscene Defined	<i>35.01(2) - Definition of Items</i>
35.013 – Knowledge of character Defined	<i>35.01(3) - Definition of Knowledge of Character</i>
35.014 – Nudity Defined	<i>35.01(4) - Definition of Nudity</i>
35.015 – Sadoomasochistic Abuse Defined	<i>35.01(5) - Definition of Sadoomasochistic Abuse</i>
35.016 – Sexual activity Defined	<i>35.01(6) - Definition of Sexual Activity</i>
35.017 – Sexual Conduct Defined	<i>35.01(7) – Definition of Sexual Conduct</i>
35.018 – Sexual Excitement Defined	<i>35.01(8) – Definition of Sexual Excitement</i>
35.019 – Ultimate Sexual Acts Defined	<i>35.01(9) – Definition of Ultimate Sexual Acts</i>
N/A	<i>35.01(10) – Definition of Prurient</i>
35.02 – Production, Publication, Sale, Possession, or Presentation of Obscene Items	<i>35.02 – Production, Publication, Sale, Possession, or Presentation of Obscene Items</i>
35.021 – Item Defined	<i>35.01(2) - Definition of Items</i>
35.04 – Coercing Acceptance of Obscene Articles or Publications	<i>35.04 – Coercing Acceptance of Obscene Articles or Publications</i>
35.06 – Furnishing Obscene or Harmful Items to Minors	<i>35.06 – Furnishing Harmful Items to Minors</i>
	<i>35.061 – Furnishing Harmful Items to Minors (Internet Activity)</i>
35.071 – Public Display of Explicit Sexual Materials	<i>35.07 – Public Display of Explicit Sexual Materials</i>
35.072 – Explicit Sexual Material Defined	<i>35.07 – Public Display of Explicit Sexual Materials</i>
35.073 – Public Display Defined	<i>35.07 – Public Display of Explicit Sexual Materials</i>
35.08 – Films, Photographs, or Motion Pictures of Minors	N/A
N/A	<i>35.09 – Duty to Report</i>
N/A	<i>35.12 – Obscene or Indecent Telephone Communications to Minors for Commercial Purposes</i>

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N/A	<i>35.13 – Sale or Distribution of Material Harmful to Minors through Vending Machines</i>
N/A	<i>35.131 – Defenses to Sale or Distribution of Material Harmful to Minors through Vending Machines</i>
	<u>CHAPTER 35.1 INSTRUCTIONS</u>
N/A	<i>35.51(1) – Definition of Communication Service Provider</i>
N/A	<i>35.51(2) – Definition of Computer</i>
N/A	<i>35.51(3) – Definition of Computer System</i>
N/A	<i>35.51(4) – Definition of Exploitive Exhibition</i>
N/A	<i>35.51(5) – Definition of Minor</i>
N/A	<i>35.51(6) – Definition of Network</i>
35.511 – Producing Defined	<i>35.51(7) – Definition of Producing</i>
N/A	<i>35.51(8) – Definition of Remote Computing Service</i>
N/A	<i>35.51(9) – Definition of Sexual Conduct</i>
35.513 – Simulated Defined	<i>35.51(10) – Definition of Simulated</i>
35.514 – Visual or Print Medium Defined	N/A
N/A	<i>35.51(11) – Definition of Visual Depiction</i>
N/A	<i>35.52 – Commercial Sexual Exploitation of a Minor</i>
35.53 – Sexual Exploitation of a Minor	<i>35.53 – Sexual Exploitation of a Minor</i>
N/A	<i>35.54 – Luring a Minor for Sexual Exploitation</i>
N/A	<i>35.56 – Permissible Inference</i>
N/A	<i>35.58 – Admitting Minors to Public Displays of Sexual Conduct</i>
N/A	<i>35.59 – Defense to Sexual Exploitation of a Minor</i>
	<u>CHAPTER 36 INSTRUCTIONS</u>
N/A	36.01 – Domestic Violence Offense Definition
N/A	36.01.02 – Aggravated Domestic Violence
N/A	36.01.02 Special Verdict Form – Domestic Violence
36.061 – Bigamy	36.06(A) - Bigamy
36.063 – Defenses to Bigamy	36.06(B) – Defenses to Bigamy

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N/A	36.07 – Marrying Spouse of Another
36.08 – Incest	36.08 – Incest
N/A	36.09(A) – Child Bigamy
N/A	36.09(B) – Defenses to Child Bigamy
36.10 – Abandonment of Spouse	36.10 – Abandonment of Spouse
36.11 – Refusal or Neglect to Provide for Spouse	36.11 – Refusal or Neglect to Provide for Spouse
N/A	36.20 – Failure to Report
36.23 – Child Abuse	36.23(A) – Child Abuse or Vulnerable Adult Abuse
	36.23(B) – Emotional Abuse of a Vulnerable Adult
N/A	<i>36.23.01 – Definition of “Vulnerable Adult” <u>Instruction</u></i>
N/A	36.25 – Unlawful Sale or Purchase of Children
37.011 – Unlawful Use of Food Stamps	*
37.02 – Excavating	*
37.04 – Adding Harmful Substance to Food or Drink	*
37.08 – Introduction of Prohibited Articles in a Juvenile Correctional Facility	*
37.09(B) – Obtaining Cable Television Services Fraudulently: Selling an Instrument with intent to Defraud	*
37.13(A) – Referral to Arizona Health Care Cost Containment System	*
37.13(B) – Fraudulently Obtaining Medical or Health Coverage Under Arizona Health care Cost Containment System	*
37.14 – Aggravated or Multiple Violations of Insurance Code	*
	<u>CHAPTER 38 INSTRUCTIONS</u>
38.24 – Failure to Register a Sex Offender or Dangerous Children Offender	38.21 – Failure to Register a Sex Offender
N/A	38.22 – Failure to Notify of Change of Address or Change of Name
N/A	<i>38.81 – Arrest; How Made; Force and Restraint</i>
N/A	<i>38.87 – Method of Arrest by Officer by Virtue of a Warrant</i>
N/A	<i>38.88 – Method of Arrest by Officer</i>

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	<i>Without a Warrant</i>
	<u>CHAPTER 43 INSTRUCTION</u>
N/A	<i>47.02 – Conducting a Chop Shop</i>
	<u>CHAPTER 44 INSTRUCTIONS</u>
N/A	<i>48.02 – Possession or Sale of Cloned Cellular or Wireless Telephones</i>
	<u>CHAPTER 45 INSTRUCTIONS</u>
N/A	<i>49.02 – Criminal Trespass on a Commercial Nuclear Generating Facility</i>
N/A	<i>49.03 – Justification Defense – Armed Nuclear Security Guard</i>

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Statutory Instructions – Title 25

RAJI (CRIMINAL) 2nd	RAJI (CRIMINAL) 3rd
12.2458 – Failure of Parent to Provide for Child	* Replaced by 25.511
	<u>TITLE 25 INSTRUCTIONS</u>
	* 25.511 – Failure of Parent to Provide for Child
N/A	* 25.500(1) – Definition of Support
N/A	* 25.500(2) – Definition of Arrearage

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Statutory Instructions – Title 28

RAJI (CRIMINAL) 2nd	RAJI (CRIMINAL) 3rd
	<u>TITLE 28 INSTRUCTIONS</u>
	28.1321 – Refusal to Submit to test
	28.1381(A)(1) – APC – Actual Physical Control defined
	28.1381(A)(1) – 1 – [Driving/Actual Physical control] while Under the Influence
	28.1381(A)(2) – [Driving/Actual Physical Control] with an Alcohol Concentration of [0.10][0.08] or More Within Two Hours of Driving
	28.1381(A)(3) – [Driving/Actual Physical Control] While There is a Drug in the Defendant’s Body
	28.1381(H).08 – Presumptions of Intoxication
	28.1381(H).10 – presumptions of Intoxication
	28.1381MS – Mental State
	28.1382(A) - [Extreme [Driving/Actual Physical Control] With An Alcohol Concentration of [0.18][0.15] or More Within Two Hours of Driving
	28.1383(A)(1)- 1 - Aggravated[Driving/Actual Physical Control] While Under the Influence While [License/Privilege to Drive] [Suspended/Canceled/Revoked/Refused/Restricted]
	28.1383(A)(1)-2 - Aggravated[Driving/Actual Physical Control] While Under the Influence While [License/Privilege to Drive] [Suspended/Canceled/Revoked/Refused/Restricted] With Lesser-Included Offense of [Driving/Actual Physical Control] While Under the Influence
	28.1383(A)(1)-3 – Aggravated [Driving/Actual Physical Control] With an Alcohol Concentration of [0.10][0.08] While [License/Privilege to Drive] [Suspended/Canceled/Revoked/Refused/Restricted]
	28.1383(A)(1)-4 - Aggravated [Driving/Actual Physical Control] While There is a Drug in the Defendant’s Body While [License/Privilege to Drive] [Suspended/Canceled/Revoked/Refused/Restricted]
	28.1383(A)(2)-1 - Aggravated [Driving/Actual Physical Control] While Under the Influence (With Two prior Convictions Within Sixty Months)
	28.1383(A)(2)- 2 - Aggravated [Driving/Actual Physical Control] With an Alcohol Concentration of [0.10][0.08] or More Within Two Hours of Driving With Two Prior Convictions Within Sixty Months
	28.1383(A)(2)- 3 - Aggravated [Driving/Actual Physical

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	Control] While There is a Drug in the Defendant's Body With Two Prior Convictions Within Sixty Months
	28.1383(A)(3)-1 – Aggravated [Driving/Actual Physical Control] While Under the Influence While There is a Person Under the Age of Fifteen Years in the Vehicle
	28.1383(A)(3)-2 – Aggravated [Driving/Actual Physical Control] With an Alcohol Concentration of [0.10][0.08] or More Within Two Hours of Driving While There is a Person Under the Age of Fifteen Years in the Vehicle
	28.1383(A)(3)-3 – Aggravated [Driving/Actual Physical Control] While there is a Drug in the Defendant's Body While There is a Person Under the Age of Fifteen Years in the Vehicle
	28.3318 – [License to Drive/Privilege to Drive] [Suspension/Cancellation/Revocation]
28.445 – License Revocation	Replaced by 28.3318
	Additional Title 28 Instructions
28.62201 – Fleeing	28.62201 – Unlawful flight from pursuing Law Enforcement Vehicle
28.661 – Leaving the Scene of An Injury or Fatal Accident	28.661 – Leaving the Scene of An Injury or Fatal Accident
28.6611 – Knowledge of Injury	28.6611 – Knowledge of Injury
	28.6612 – Leaving the Scene of An Injury or Fatal Accident – Form of Verdict
	28.662 – Leaving the Scene of An Accident
	28.663 – Driver's Duty to Give Information and Assistance
28.691 – License Suspension or revocation	Replaced by 28.3318
28.691(A) – Refusal to Submit to test	Replaced by 28.1321
28.692 – Driving With Suspended License While Intoxicated	Replaced by 28.1383(A)(1)-1
28.692(A)(1) – Driving While Under the Influence of Intoxicating Liquor	Replaced by 28.1381(A) (1) –1
28.692 (A)(2) – Actual Physical control – Apparent Ability	Replaced by 28.1381(A) (1)
28.692 (A)(14) – Impairment in the Slightest Degree	
28.692(B) – Driving While Under the Influence	Replaced by 28. 1381(A) (1) –1
28.692(B)(1) – Driving With Blood Alcohol Level of 0.10 While	Replaced by 28.1383(A) (1) –2

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license Suspended, Etc.; Lesser Included Offense of Driving While License Suspended, Etc.	
28.692(L) – Driving While Under the Influence of Drugs	Replaced by 28.1381(A)(3)

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Statutory Instructions – Title 38

	<u>TITLE 38 INSTRUCTIONS</u>
N/A	<i>38-4.21 – Stealing, Destroying, Altering or Secreting a Public Record</i>
N/A	<i>38-1.01 – Definition of “Officer” or “Public Officer”</i>

Statutory Instructions – Title 39

	<u>TITLE 39 INSTRUCTIONS</u>
N/A	<i>39-1.61 – Presentment of False Instrument for Filing</i>

Statutory Instructions – Title 45

	<u>TITLE 46 INSTRUCTIONS</u>
N/A	<i>46-456.01 – Definition of “Deception”</i>
N/A	<i>46-456.02 – Definition of “Intimidation”</i>
N/A	<i>46-456.03 – Definition of “Position of Trust and Confidence”</i>

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Sentencing Instructions

RAJI (CRIMINAL) 2nd	RAJI (CRIMINAL) 3rd
N/A	<u>Non-Capital Blakely Instructions</u>
N/A	<u>Capital Sentencing Instructions (Ring)</u>
	Foreword to the Court; Introduction to Capital Case Sentencing Instructions (Not to Be Read to the Jury)
	1.0 – Degree of Participation Instruction (Enmund/Tison)
	1.0.1 – Accomplice Liability
	Eligibility Phase – 1.1 Nature of the Hearing
	Eligibility Phase – 1.2 Duties of the Jury
	Eligibility Phase – 1.3 Evidence
	Eligibility Phase – 1.4 Burden of Proof
	Eligibility Phase – 1.5 Definition of Proof Beyond a Reasonable Doubt
	Eligibility Phase – 1.6 Aggravating Circumstances
	Eligibility Phase – 1.6(a)(1) Definition of “Serious Offenses” (for offenses occurring on or after July 17, 1993)
	Eligibility Phase - 1.6(b) Definition of "Grave Risk of Death to Another"
	Eligibility Phase - 1.6(c) Definition of “Consideration for the Receipt, or in Expectation of the Receipt, of Anything of Pecuniary Value”
	<i>Eligibility Phase – 1.6(d) Definition of “Especially Cruel, Heinous or Depraved”</i>
	Eligibility Phase – 1.6(e) Definition of “During the Commission of the Offense”
	Eligibility Phase – Verdict Form 1
	Penalty Phase – 2.1 Nature of Hearing and Duties of Jury
	Penalty Phase – 2.2 Evidence
	Penalty Phase – 2.3 Mitigation
	Penalty Phase – 2.4 Duty to Consult with One Another
	Penalty Phase – 2.5 Mitigation Assessment and the Sentence Burden of Proof
	Penalty Phase – Verdict Form 2/Part 1
	<i>Foreword To The Court - Introduction To Statutory Mitigating Circumstance Instructions (Not To Be Read To The Jury)</i>
	<i>Mitigation Phase – 3.1 Mitigation Evidence</i>
	<i>Mitigation Phase – 3.2 Significant Impairment</i>
	<i>Mitigation Phase – 3.3 Duress</i>
	<i>Mitigation Phase – 3.4 Relatively Minor Participation</i>
	<i>Mitigation Phase – 3.5 Death Not Reasonably Foreseeable</i>

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	<i>Mitigation Phase – 3.6 Age</i>
	<i>Mitigation Phase – Verdict Form 2/Part 2</i>

Revised: April 5, 2007

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